

IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

SARA NEGASH,
v.
ASHLEY HAWKINS, et al.

Plaintiff,
Defendants.

Civil No. 1:17-cv-848-AJT-MSN

REPORT & RECOMMENDATION

This matter comes before the Court on Defendants' Discovery Plan (Dkt. No. 21).

Having reviewed the record and pleadings, the undersigned Magistrate Judge adopts the discovery plan and also recommends dismissal without prejudice of Plaintiff's claim for want of prosecution, failure to comply with court orders, and failure to monitor the docket for case activity.

On July 27, 2017, Plaintiff, who is proceeding *pro se*, filed this lawsuit against her former employer and its Director of Operations, Human Resources Manager, Operations Manager, and Chief Operating Officer (Dkt. No. 1). On August 1, 2017, this Court granted Plaintiff's Motion for Leave to Proceed *In Forma Pauperis* (Dkt. No. 2). On October 4, 2017, Defendant Vastec filed a Motion to Dismiss, waiving a hearing. Fourteen days later, the remaining defendants, with the exception of Donald Powell,¹ filed their Motion to Dismiss and also waived a hearing (Dkt. No. 13).

On October 19, 2017, the Honorable Anthony J. Trenga, issued a Scheduling Order requiring the Parties "to confer before [their initial pretrial conference] to consider the claims,

¹ The docket lists this defendant's name as Donald Pavell, but as the other defendants noted in their Discovery Plan, his name is Donald Powell. See Defendants' Discovery Plan at 1 n.1 (Dkt. No. 21).

defenses, possibilities of a prompt settlement or resolution of the case, trial before a magistrate judge, to arrange for the disclosures required by Rule 26(a)(1), and to develop a discovery plan" (Dkt. No. 16). That day, a copy of the Scheduling Order was mailed to Plaintiff. The joint discovery plan was due November 8, 2017. Plaintiff failed to respond to phone calls and emails from Defendants on November 2, 2017 about a joint proposed discovery plan. *See* Defendants' Discovery Plan at 1 (Dkt. No. 21). Defendants timely filed a discovery plan, but Plaintiff did not (Dkt. No. 21). On November 15, 2017, the initial pretrial conference was held, and Plaintiff failed to appear (Dkt. No. 22). Plaintiff has failed to follow the Court's Orders.

Accordingly, the undersigned recommends DISMISSING Plaintiff's claim without prejudice.

By means of the Court's electronic filing system and by mailing a copy of this Report and Recommendation to Defendants at their address for service of process, the parties are notified as follows. Objections to this Report and Recommendation must be filed within fourteen (14) days of service on you of this Report and Recommendation. Failure to file timely objections to this Report and Recommendation waives appellate review of the substance of this Report and Recommendation and waives appellate review of a judgment based on this Report and Recommendation.

/s/

Michael S. Nachmanoff
United States Magistrate Judge

November 17, 2017
Alexandria, Virginia